

[By Chris Garofolo](#)

U.S. Rep. Peter Welch, D-Vt., is slamming legislation approved by the Republican majority that strips the Environmental Protection Agency from regulating greenhouse gases during a floor vote on Thursday. Welch, Vermont's sole representative in the U.S. House, said the measure would prohibit the EPA from considering greenhouse gases as air pollutants, thus exempting them from regulation under the Clean Air Act.

Officially known as the Energy Tax Prevention Act of 2011 (H.R. No. 910), the legislation calls to amend the Clean Air Act to prohibit the EPA from "promulgating any regulation concerning, taking action relating to or taking into consideration the emission of a greenhouse gas to address climate change, and for other purposes."

It passed nearly along party lines by a 255 to 172 vote.

Lawmakers advocating for the bill report its passing would negate a 2007 Supreme Court decision finding the EPA has authority over greenhouse gas regulation. Critics say the act undermines the agency from enforcing current greenhouse gas reporting requirements and motor vehicle emission standards.

Welch said the measure overturns scientific findings about the risk posed by greenhouse gases to humans and the environment.

"The authors of this bill have come to the conclusion that global warming is a hoax. Give them credit, getting there was not an easy task and flies in the face of the unanimous conclusion of American scientists," Welch said. "Supporters of this legislation are following the long-established tradition we humans have, the ability to disregard the obvious and proven when that conflicts with our ideology."

Amendments proposed by Welch to repeal tax breaks for oil companies and protect the EPA

efficiency program (known as Energy Star) were rejected by the majority.

U.S. Rep. Frederick Upton, R-Mich., sponsored the legislation as a means to "remove the biggest regulatory threat to the American economy." He said the bill is designed to stop the EPA from using the Clean Air Act as a unilateral tool to impose greenhouse gas regulations to address climate change.

Without congressional intervention, Upton said the EPA may continue to put together a house of cards to regulate emissions of carbon dioxide.

"EPA regulations will hit our manufacturing sector hard, with direct limits on factory emissions and indirect costs from the higher price to power their facilities," he said Wednesday on the House floor. "It will hit small businesses hard, because when the electricity to power your power and the gasoline to fuel your vehicles is more expensive, you profit less and hire fewer new employees."

The bill has support from multiple fossil fuel and manufacturing groups, including the National Mining Association and the National Association of Manufacturers.

"While our nation's unemployment has edged down slightly, Americans still desperately need jobs. The bipartisan vote in the House of Representatives today demonstrates that our nation's lawmakers understand this and are willing to stand against EPA regulations that would prevent job creation and economic growth," said Jay Timmons, president of the manufacturers association, in a statement.

"The Energy Tax Prevention Act will help create the climate necessary for future investment, innovation and expansion. This legislation also takes steps to provide some clarity in the regulatory process, which will help drive manufacturers' ability to create jobs and increase our global competitiveness," he added.

But Welch said lawmakers cannot pretend scientific facts do not exist for the benefit of creating jobs at coal-producing plants at the expense of Americans' health.

"You have to be truthful about what you're doing and what the consequences are. My view is the real job creation will come by taking on the challenge of making America energy independent," he said.

President Barack Obama has already vowed to veto any such legislation that makes it to his desk.

A statement of administration policy from the Executive Office of the president notes passage of H.R. 910 would halt the EPA "common-sense" steps to protect Americans from harmful air pollution.

EPA reports indicate the Clean Air Act prevented 160,000 premature death, 130,000 heart attacks and more than 100,000 hospital visits in 2010 alone.

In an opinion piece from the Washington Examiner, Illinois Republican Adam Kinzinger said the EPA is attempting to enforce a backdoor cap and trade system after Capitol Hill Democrats failed to push through legislation nearly two years ago. He wrote the prevention act is a bipartisan (three energy committee Democrats supported the measure) and effective approach to curtail the EPA's overreaching regulations.

"There is a whole host of other economically devastating rules in the pipeline at the EPA, which is why my colleagues and I on the Energy and Commerce Committee are focused squarely on reining in these runaway regulators," he wrote.

The bill does not restrict or change the Clean Air Act's current regulation of air pollution, however it does alter its definition to not include greenhouse gas. The language in the bill refers to greenhouse gases as the following: water vapor, carbon dioxide, methane, nitrous oxide, sulfur hexafluoride, hydrofluorocarbons and perfluorocarbons.